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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,742	03/24/2004	James A. Donaldson	170298068US	5862
25096	7590	07/13/2006	EXAMINER	
PERKINS COIE LLP PATENT-SEA P.O. BOX 1247 SEATTLE, WA 98111-1247				BROWN, DREW J
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 07/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/808,742	DONALDSON, JAMES A.
	Examiner Drew J. Brown	Art Unit 3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 5/5/06 (response to election req.).
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-38 is/are pending in the application.
  - 4a) Of the above claim(s) 4-10,13,22,23 and 25-34 is/are withdrawn from consideration.
- 5) Claim(s) 18-21,24 and 37 is/are allowed.
- 6) Claim(s) 1-3,11,12,15-17,35,36 and 38 is/are rejected.
- 7) Claim(s) 14 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 24 March 2004 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2/3/06 &amp; 11/3/04</u> .	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

### *Election/Restrictions*

1. Claims 4-10, 13, 22, 23, and 25-34 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 5/5/06.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 11, 12, 15-17, 35, 36, and 38 rejected under 35 U.S.C. 102(b) as being anticipated by Williamson (U.S. Pat. No. 4,958,584).

Williamson discloses a base (106), first, second, third, and fourth (Figure 1A) elongated support assemblies (118) pivotally coupled via joint (120) to the base and movable relative to the base and relative to each other between spread (Figure 1A and 2A) and stowed positions (Figure 1B and 2B), wherein the first, second, third, and fourth support assemblies are each configured to engage a portion of a support surface (ground) such that the first and second support assemblies support at least a portion of the base above the support surface. The support assemblies are also vertically movable relative to the base (Figures 2A and 2B), and a tool (158) is coupled to the base. A control mechanism (80) mechanically interconnects the first and second support assemblies and is configured to control pivotal movement of each of the first and the second support assemblies between the spread and stowed positions (column 4, lines 20-34). The control mechanism includes a hydraulic (column 4, lines 42 and 43) actuator (86) that simultaneously moves the first support assembly relative to the second support assembly. At least one mechanical link (82, 84) interconnects the first and second support assemblies and is configured to coordinate movement of the first, second, third, and fourth support assemblies

between the spread and stowed positions, and the control mechanism is coupled to the first and second support assemblies via the mechanical link (Figures 2A and 2B).

4. Claims 1, 2, 11, 12, 15, 16, 35, 36, and 38 rejected under 35 U.S.C. 102(b) as being anticipated by Taylor (U.S. Pat. No. 3,475,008).

Taylor discloses a base (16, 18), first, second, third, and fourth (Figure 1) elongated support assemblies (50) pivotally coupled via joint (62) to the base and movable relative to the base and relative to each other between spread (Figure 2) and stowed positions (Figure 3), wherein the first, second, third, and fourth support assemblies are each configured to engage a portion of a support surface (96) such that the first and second support assemblies support at least a portion of the base above the support surface. The support assemblies are also vertically movable relative to the base (Figures 2 and 3). A control mechanism (20) mechanically interconnects the first and second support assemblies and is configured to control pivotal movement of each of the first and the second support assemblies between the spread and stowed positions. At least one mechanical link (68) interconnects the first and second support assemblies and is configured to coordinate movement of the first, second, third, and fourth support assemblies between the spread and stowed positions, and the control mechanism is coupled to the first and second support assemblies via the mechanical link (Figures 2 and 3).

#### *Allowable Subject Matter*

5. Claims 18-21, 24, and 37 are allowed.
6. Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nebel, Kaiser, and Yuker disclose similar support systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Drew J. Brown whose telephone number is 571-272-1362. The examiner can normally be reached on Monday-Thursday from 8 a.m. to 4 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Drew J. Brown  
Examiner  
Art Unit 3616

db  
6/30/06



DAVID R. DUNN  
PRIMARY EXAMINER